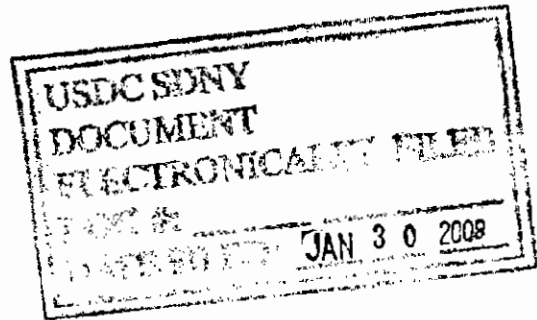


GUTRIDE SAFIER REESE LLP

Michael R. Reese
Kim E. Richman
230 Park Avenue, 10th Floor
New York, New York 10169
Telephone: (212) 579-4625
Facsimile: (212) 253-4272

DREIER LLP

Lee A. Weiss
Rebecca Tingey
499 Park Avenue
New York, New York 10022
Telephone: (212) 328-6100
Facsimile: (212) 328-6101



Counsel for Plaintiff and the Proposed Class

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ADAM JERNOW, on behalf of himself and all others
similarly situated,

Plaintiff,

vs.

WENDY'S INTERNATIONAL, INC.,

Defendant.

No. 07-CV-3971(LTS) (THK)

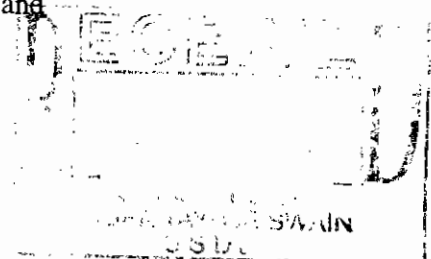
Hon. Laura Taylor Swain

Referred to Magistrate Judge Katz

STIPULATION AND ~~PROPOSED~~
ORDER RE AMENDMENT TO
COMPLAINT TO ADD AN
ADDITIONAL PLAINTIFF

Plaintiff Adam Jernow ("Jernow") and Defendant Wendy's International, Inc.
("Defendant") (collectively, the "Parties") through their respective counsel, mutually stipulate
and agree as follows:

1. On November 19, 2007, this Court entered a pre-trial scheduling order that set
January 25, 2008 as the deadline to add any additional parties; and



2. Plaintiff Jernow wishes to file a second amended complaint to add Leah McLawrence as an additional named plaintiff; and
3. By stipulating to the filing of the second amended complaint, the Parties agree that Defendant does not waive its right to later contest the adequacy of either Mr. Jernow or Ms. McLawrence as class representatives; and
4. Defendant shall have 10 days to file its answer to the second amended complaint.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the parties, that, pursuant to order of the Court, Plaintiff's Second Amended Complaint attached hereto as Exhibit A that adds Leah McLawrence as an additional named plaintiff is hereby deemed filed.

Dated: January 25, 2008



MICHAEL R. REESE
GUTRIDE SAFIER REESE LLP
230 Park Avenue, 10th Floor
New York, New York 10169
Telephone: (212) 579-4625
Facsimile (212) 253-4272

DREIER LLP

Lee A. Weiss
Rebecca Tingey
499 Park Avenue
New York, New York 10022
Telephone: (212) 328-6100
Facsimile: (212) 328-6101

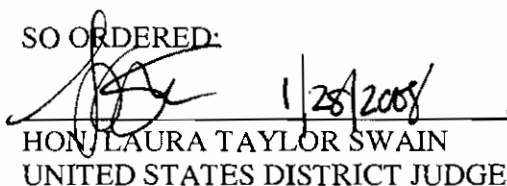
Attorneys for Plaintiff



THOMAS P. MCLISH
**AKIN GUMP STRAUSS HAUSER
& FELD LLP**
1333 New Hampshire Ave., N.W.
Washington, D.C. 20036
Telephone (202) 887-4324
Facsimile: (202) 887-4288

Attorneys for Defendant

SO ORDERED:


HON. LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE